

United States Senate
WASHINGTON, DC 20510

June 11, 2003

The Honorable John Warner
Chairman
Senate Armed Services Committee
United States Senate

The Honorable Carl Levin
Ranking Member
Senate Armed Services Committee
United States Senate

Dear Senators Warner and Levin:

When the Senate conferences with the House on the National Defense Authorization Act for Fiscal Year 2004 (S. 1050), we ask that you strike a provision adopted in the House version (H.R. 1588) of the bill. That provision would allow National Guard and Department of Defense (DOD) assets to be used for fighting forest fires before, as under current law, requiring land managers to exhaust all private and commercial sources. We believe that this provision is ill-advised, not least because commercial providers are more experienced, qualified and cost-effective, but because the result would be inappropriate competition between government and private enterprise.

Commercial operators have been involved in combating wildfires for well over 50 years and have developed equipment and skills that make them the most effective, safe, and cost efficient force for this work. Because commercial operators carry out this work as part of their business, they utilize skilled and experienced pilots who year after year provide consistency to the firefighting effort. Since our armed forces are dedicated to defending our country, and the very nature of military organization requires constant turnover in mission assignments, the armed forces cannot provide a consistent level of expertise and equipment necessary to a cohesive wildland firefighting effort. Thus, for years the armed forces have been called upon only as a last resort when all other commercial assets have been exhausted. The practice of preferred use of commercial operators over the military has been successful in protecting lives and property in past fire seasons and will continue to succeed while our military forces are committed elsewhere in support of the United States' foreign policy.

Waiving the provisions that require land managers to use commercial assets before the military for use in fighting forest wildfires clearly places these private businesses at a competitive disadvantage. In an already struggling economy, this amendment could be devastating to small businesses across the nation. An issue with such potential negative consequences should be vetted through the regular order of committee business where the issue can be fully debated through hearings and other means.

Thank you for your consideration of our request. Please feel free to contact us if you need further information to make your decision.

Sincerely,



Gordon H. Smith
United States Senate



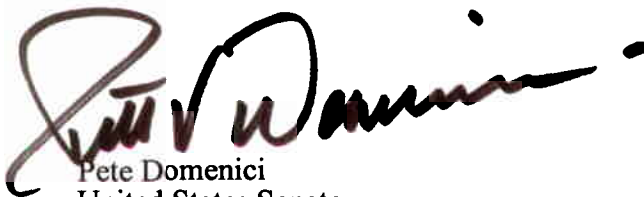
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